

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5708



INTRODUCED BY: HON. MARCELINO "MARCY" R. TEODORO

EXPLANATORY NOTE

Road safety is everyone's concern. With the people's growing dependence on automotive technologies to cope with the demands of modern living, coupled with the growingly complex systems of roads and highways in the country, both the government and citizens should work in unison to ensure traffic (both vehicular and pedestrian) regulations are strictly implemented and observed.

Statistics have shown that driving under the influence of intoxicating drinks and illegal drugs impairs a person's driving skills. Hence, Section 53 of Republic Act No. 4136, also known as the "Land Transportation and Traffic Code", addresses this problem and prohibits driving while under the influence of liquor or narcotic drug.

The existence of the aforementioned law, notwithstanding, more accidents caused by abuse of alcohol and illegal drugs are being reported every day. It is very evident that the penalties as provided in the law is inadequate and inconsequential compared to the higher risk posed by someone driving or operating a common carrier under the influence of alcohol or prohibited drugs. More than putting their lives at risks, these drivers and operators endanger the lives of other motorists, as well as, those of their passengers.

Indeed, the Constitution, Article II, Section 5 provides that:

"The maintenance of peace and order, the protection of life and liberty, and property, and promotion of the general welfare are essential for the enjoyment by all the people of the blessings of democracy."

In line with the abovementioned principle, this bill seeks to minimize, if not completely deter the driving or operation of common carriers under the influence of alcohol or prohibited drugs by imposing higher penalties thereto.

In light of the foregoing, immediate passage of this bill is earnestly sought.


MARCELINO "MARCY" R. TEODORO
Representative, 1st District
City of Marikina

Republic of the Philippines
HOUSE OF REPRESENTATIVES
Quezon City, Philippines

FIFTEENTH CONGRESS
Second Regular Session

HOUSE BILL NO. 5708

INTRODUCED BY: HON. MARCELINO "MARCY" R. TEODORO

AN ACT
INCREASING THE PENALTIES OF DRIVERS AND OPERATORS OF COMMON
CARRIERS OPERATING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

Be it enacted by the Senate and the House of Representatives of the Philippines in Congress assembled:

SECTION 1. Short Title.- This Act shall be known as the "Clean Common Carriers Act of 2012."

SECTION 2. Declaration of Policy.- It is the Policy of the State to maintain peace and order, to protect life liberty, and property, and to promote the general welfare of the people. In line with this, the State aims to protect commuters, motorist and pedestrians from operators of common carries who operate their vehicles under the influence of alcohol or drugs.

SECTION 3. Definition of Common Carrier. - A used in this Act, the term " common carrier" has the same meaning as defined by Article 1732 of the New Civil Code.

SECTION 4. Operation of a Common Carrier under the Influence of Alcohol or Drugs.- Whoever operates or direct the operation of a common carrier while under the influence of alcohol or any prohibited drug, shall be imprisoned for not more than fifteen years or fined an amount not less than Twenty Thousand Pesos (P20,000.00) but not more than Two Hundred Thousand Pesos(200,000.00), or both at the discretion of the court.

SECTION 5. Presumptions.- For purpose of this Act, (1) an individual with a blood alcohol content of 0.10 percent or more shall be presumed to be under the influence of alcohol;and (2) an individual shall be presumed under the influence of prohibited drugs if the quantity of the drug in the system of the individual would be sufficient to impair the perception, mental, processes, or motor functions of the average individual.

SECTION 6. Separability Clause. If any provision or part hereof is held invalid or unconstitutional, the remainder of the law of the provisions not otherwise affected shall remain valid and subsisting.

SECTION 7. Repealing Clause. - Any law, presidential decree or issuance, executive order, letter of instruction, administrative order, rule or regulation contrary to, or inconsistent with the provisions of this Act is repealed, modified or amended accordingly.

SECTION 8. Effectivity Clause. - This Act shall take effect fifteen (15) days after its publication in at least two (2) newspapers of general circulation.

Approved,